

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

FEB 23 2018

JULIA C. DUDLEY, CLERK
BY: *A. Beeson*
DEPUTY CLERK

NORTHWOOD MANAGEMENT GROUP, INC

Plaintiff

v.

Case No

EL 7:18CV 82

CRYSTAL VL RIVERS

CVLR PERFORMANCE HORSES INC

Defendants

and

CVLR PERFORMANCE HORSES INC

CRYSTAL VL RIVERS

Third Party Plaintiffs

v.

GARY BOWMAN, Esq.

WILLIAM L. WALLIS, JR.

ROBERT A. NITTI

FABRIKO ACQUISITION CORPORATION (INC)

Third Party Defendants

NOTICE OF REMOVAL

COMES NOW, Defendant, Crystal VL Rivers, pro se, and hereby gives notice of Removal to this Court pursuant to 28 U.S.C. §1441, et seq. of the above-styled action pending in the Circuit Court for Roanoke City, Virginia, and states the following in support thereof:

SUBJECT MATTER JURISDICTION

1. This Court has jurisdiction of the subject matter in Rivers complaint alleging facts relating to Civil Racketeering and Corrupt Organizations Act 18 U.S.C., and predicate acts pursuant to 28 U.S.C. §1331 (federal subject matter jurisdiction).
2. This Court has jurisdiction of the subject matter in Counts Two, Three, Four and Five pursuant to its federal question jurisdiction.
3. This Court has jurisdiction of the subject matter in Count One because the federal court has jurisdiction over pendent state claims when the state claims share a “common nucleus of operative facts” with the federal claims. They are all essential to complete the RICO scheme

PARTIES

4. Crystal VL Rivers is a resident of Bedford County Virginia. During the times relevant to this lawsuit, Rivers was a contracted party with Bowman, as her counsel, Wallis and NMG collectively and individually as third party payees of her lawsuits.
5. CVLR Performance Horses Inc (“CVLR”) was a registered corporation with the State of Virginia and has since been dissolved. During times relevant to this lawsuit CVLR was a party contracted with Bowman, as their counsel, Wallis, and NMG, collectively and individually as third party payees of their lawsuits.
6. Northwood Management Group (Inc), aka the Northwood Group (“NMG”) is a Virginia corporation with its place of business in Appomattox Virginia owned entirely by Wallis
7. Robert A. Nitti (“Nitti”) is a resident of the State of Virginia. Nitti is a partner of Wallis’s.

8. William L. Wallis, Jr. ("Wallis") is a resident of the State of Virginia. During the times relevant to this lawsuit, he was an owner of Fabriko Acquisition Corporation (Inc) and Bowman was his counsel.

9. Fabriko Acquisition Corporation (Inc) ("Fabriko") is a company that operated and advertising as a corporation in the State of Virginia.

SUMMARY STATEMENT OF FACTS

10. This action was commenced by a Complaint which was filed by NMG on August 4, 2014 asking for \$34,000.00 relief against the Defendants, Rivers and CVLR and imposing a constructive trust on any settlement proceeds received by them and asking to allow NMG to proceed in the matters **EXHIBIT_1_**

11. Rivers and CVLR, represented at the time by James Gilbert, filed their answer and counter claim against NMG for breach of contract and fraud on August 29, 2014 **EXHIBIT_2_**

12. On July 27, 2015 Rivers and CVLR filed Motion to add Bowman as Third Party Defendant for breach of contract and fraud

13. On August 28, 2015 the parties were heard and Rivers and CVLR's motion to add Bowman as Third Party Defendant was GRANTED. Amended Third Party Complaint **EXHIBIT_2A_**

14. Rivers, due to counsel withdrawing from the case, filed, pro se, her motion to amend Third Party complaint against Bowman on April 17, 2017 adding counts of fraud and conspiracy, legal malpractice, wire fraud and obtaining money under false pretenses.

15. On October 31, 2017: The parties came to be heard on Rivers motion for leave to file a second amended complaint against Bowman. The motion was DENIED. Rivers filed her motion to reconsider and review which was DENIED on December 15, 2017. **EXHIBIT_3_**

16. The parties came to be heard again on November 29, 2017 on Bowman's Pleas in Bar and Demurrer and Rivers motion to add Third Party Defendants, Wallis, Nitti and Fabriko. Bowman's Plea in Bar and Demurrer were SUSTAINED and he was dismissed as a party from this case. **EXHIBIT__4__**

17. It was further Ordered, on that same day, that Rivers motion to add Wallis, Nitti, and Fabriko as Third Party Defendants was GRANTED. Rivers properly joined the additional Third Party Defendants to this case within 21 days after the endorsement of the January 3, 2018 endorsed Order as per the Order of the Court asking for approximately \$100,000.00 **EXHIBIT_4A__**

18. On January 9, 2018: Rivers Noticed the Appeal on ONLY the matters relating to Bowman in The December 15, 2017 Order Denying Rivers motion to reconsider and reverse the November 29, 2017 Order **EXHIBIT_5 & 5A__**

19. On February 2, 2018: Rivers Noticed the Appeal on ONLY the matters relating to Bowman in the January 3, 2018 Order removing Bowman as a Third Party to this case **EXHIBIT__6__**

20. All parties have been served with copies of the Notice of Appeal and the transcript has been ordered for filing timely, 90 days from January 3, 2018

21. Wallis and Fabriko were served their copy of the complaint against them on January 29, 2018

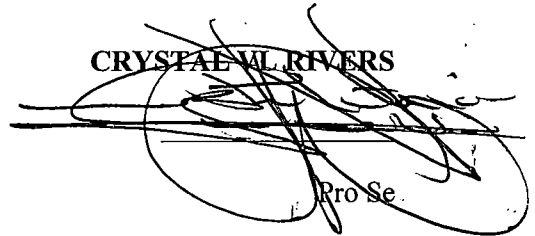
22. Service by the Appomattox County sheriff was attempted at the address Nitti uses in Federal and State court filings but the address was no good and does not exist

23. On February 13, 2018; Rivers prepared and filed a second request and attempt for the Clerk of the Court of Roanoke City Circuit Court to issue to the sheriff of Appomattox County for service upon Nitti at his newly discovered address.

24. The above-styled action is a civil action over which this Court has jurisdiction pursuant to 28 U.S.C. § 13329(a) based on the fact that the award amount in controversy and being prayed for by NMG and Rivers, exceeds Seventy Five Thousand Dollars. (\$75,000.00).
25. Defendant reserves the right to amend the complaint and ad damnum to \$30,000,000.00 (\$9,530,000 trebled plus legal fees, cost and expenses) against the Third Party Defendants to better present the ongoing RICO Racketeering claims against them and to include newly discovered subject matters.
26. This Notice of Removal is being timely filed in that it is being filed within thirty (30) days after the Defendant, Rivers filed the complaint against Third Party Defendants, Wallis, Nitti and Fabriko
27. Venue lies properly in this Court as it is in the district and division thereof in which the State court action was pending prior to removal.
28. Defendant is giving notice of the removal to all parties Plaintiff and Defendant and will file a copy of this notice, with the Clerk of the Circuit Court of Roanoke City, Virginia.
29. Removing this case to this Court will not prejudice or negatively affect the parties in this matter.

WHEREFORE, for the foregoing reasons, Defendant requests that the aforesaid action pending in the Circuit Court for Roanoke City, Virginia be removed to this Court, and for such additional relief as the Court may deem appropriate.

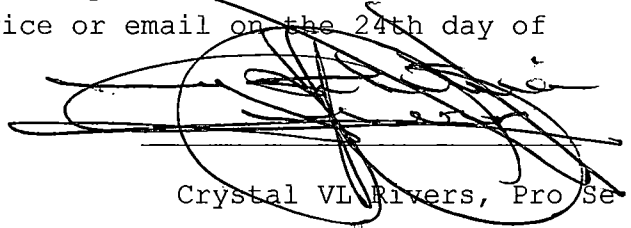
A JURY TRIAL IS REQUESTED

CRYSTAE VL RIVERS

Pro Se

Crystal VL Rivers
3831 Old Forest Rd, Suite 6
Lynchburg VA 24501
434-818-2921
rivesparalegalservices@gmail.com

CERTIFICATE

I hereby certify that I filed the foregoing Notice of Removal with the Clerk of the Court, and served all parties of interest named below in the action, by U.S. Postal Service or email on the 24th day of February, 2018.



Crystal VL Rivers, Pro Se

Northwood Management Group, (Inc)
Matthew Huebschman, counsel for NMG
3807 Brandon Ave, Ste 2425
Roanoke, VA 24018
mhuebsch@shenlegal.com
540-344-4490

3831 Old Forest Rd, Ste 6
Lynchburg, VA 24501
riversparalegalservices@gmail.com
434-818-2921

Gary M Bowman, Pro Se
2725 Colonial Ave, Ste 100
Roanoke, VA 24015
gary@garymbowman.com
540-343-1173

William L. Wallis, Jr., Pro Se: and
Fabriko Acquisition Corporation Inc, Pro Se
1202 Greenway Ct
Lynchburg, VA 24503
434-384-7893

Robert A. Nitti, Pro Se
PO Box 184
8037 Red House Rd
Appomattox, VA 24522
804-385-9410

ALL PARTIES WERE SERVED
WITH MY INTENTIONS TO
REMOVE THE CASE TO
THE WESTERN DISTRICT
OF VA ROANOKE VIRGINIA
THERE HAVE BEEN NO
OBJECTIONS - 28 USC §1441

2/24/18

